



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, NOVEMBER 29, 2006

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Susan Walton, Principal Planner

Mike Enderby, Acting Principal Planner

**Joseph Horwedel, Acting Director
Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **November 29, 2006**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Gina Robles (gina.robles@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. SP06-048. Special Use Permit** to allow retail sales at an existing gas station with an alternative parking arrangement to allow a reduced parking requirement on a 0.67 gross acre site in the CG General Commercial Zoning District, located at/on the southwest corner of Saratoga Avenue and Campbell Avenue (1704 SARATOGA AV) (Chevron Products Company, Mary Duffy, Owner). Council District 1. SNI: None. CEQA: Exempt.
- b. SP06-062. Special Use Permit** to allow an off-site parking arrangement for an existing restaurant on a 1.51 gross acre site in the CN Neighborhood Commercial Zoning District, located at/on the east side of N First Street, approximately 510 feet northerly of Gish Street (1490 N 1ST ST) (Davinder Kumar Chawla, Owner). Council District 3. SNI: None. CEQA: Exempt.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. TR06-178. Tree Removal Permit** Application for the removal of one acacia tree, 80 inches in circumference, in the R-1-8(PD) Planned Development Zoning District, located at 7036 Via Serena (Alexander and Marina Furman, owners). Council District 2. CEQA: Exempt. **Deferred from 11/15/06.**

- b. **PD06-029. Planned Development Permit** request to allow 110 single-family attached residential units in a podium building on a 10.66 gross acre site in the A(PD) Planned Development Zoning District, located on the northeast corner of Baton Rouge Drive and Cedarville Lane (781 N CAPITOL AV) (Blossom Valley Investors, Owner). Council District 4. SNI: None. CEQA: Mitigated Negative Declaration. **Deferred from 11/22/06.**
- c. **SP06-073. Special Use Permit** to legalize a 4-foot retaining wall constructed without the benefit of permits on a 0.14 gross acre site in the R-1-5 Single-Family Residence Zoning District, located on the northwest side of Groesbeck Hill Drive approximately 250 feet southwest of Murillo Avenue (3615 Groesbeck Hill Drive) (Antonio Cruz, Owner). Council District 8. SNI: None. CEQA: Exempt.
- d. **TR06-201. Tree Removal Permit** to legalize the removal of 4 Canadian Maple trees of various sizes on a 1.5 gross acre site in the R-M Multiple Residence Zoning District, located at 1380 Fruitdale Avenue (Jimenez Roberto And Laura, Teresi Investments, Owner). Council District 6. CEQA: Exempt.
- e. **TR06-029. Tree Removal Permit** to remove one Pine tree 68 inches in circumference on a 0.22 gross acre site in the R-1-5 Single-Family Residence Zoning District, located at/on the 1152 Wilhelmina Way (1152 WILHELMINA WY) (Norman William L Trustee Et Al, Owner). Council District 10. CEQA: Exempt.
- f. **TR06-054. Tree Removal Permit** to allow removal of two pine trees 109" and 79" in circumference previously removed without the benefit of permits on a 0.10 gross acre site in the R-2 Two-Family Residence Zoning District, located at 747 Illinois Avenue (Larry Hildreth, Owner). Council District 3. CEQA: Exempt.
- g. **H06-012. Site Development Permit** to demolish an existing structure and construct a 3,000 square foot commercial building and associated site improvements on a 0.16 gross acre site in the CP Pedestrian Commercial Zoning District, located on the southwest corner of North Bascom Avenue and Bailey Avenue, approximately 520 feet north of West San Carlos Street (77 N BASCOM AV) (Abtahi Hamid Et Al, Behrooz Aram, Owner). Council District 6. SNI: Burbank/Del Monte. CEQA: Exempt.

This concludes the Planning Director's Hearing for November 29, 2006. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/default.asp>
PUBLIC INFORMATION COUNTER
(408) 535-7800 CITY OF SAN JOSE